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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,464	04/22/2004	Noriaki Kodama	249-341	6417
23117	7590	02/16/2005	EXAMINER	
NIXON & VANDERHYE, PC 1100 N GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201-4714			GRAVINI, STEPHEN MICHAEL	
			ART UNIT	PAPER NUMBER
			3749	

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/829,464

Applicant(s)

KODAMA ET AL.

Examiner

Stephen Gravini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaplan et al. (US 5,170,633). Kaplan is considered to disclose the claimed invention comprising:

a plurality of rotors **42, 52** disposed in series, each of which carries an adsorbent thereon and is rotatably supported;

partition members **45, 55** which are arranged at outermost end portions of the rotors and between the rotors so as to partition a rotary zone of each rotor into an adsorption zone **16, 58**, (wherein the disclosed dehumidification zone is considered to anticipate the claimed adsorption zone since both remove humidity by adsorbing moisture) a regeneration zone **17, 53** and a cooling zone **18, 30**;

a driving member which rotatably drives the rotors (please see column 1 lines 56-57);

a supply passage which allows sucked air to pass through the adsorption zone to obtain dry air from which moisture and organic materials have been removed, and which supplies the dry air into the target space (please see column 3 lines 9-27); and

an exhaust passage which allows a portion of the dry air to pass through the cooling zone, then heats the cooled air, and then allows the heated air to pass through the regeneration zone to separate the moisture and the organic materials from the

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adsorbent thereby (please see column 7 line 43 through column 8 line 12). Kaplan is also considered to disclose the claimed partition members including a circumferential member having a circumferential sealing portion and radial members having radial sealing portions at column 5 lines 26-28 and shown in the accompanying figures.

Claim Rejections - 35 USC § 103

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaplan in view of Ogasahara (US 5,242,473). Kaplan is considered to disclose the claimed invention, as discussed above under the anticipatory rejection, except for the claimed circumferential radial member fins and rotational speed settings. Ogasahara, another dry air supply device, is considered to disclose circumferential radial member fins and rotational speed settings at column 4 lines 55-66. It would have been obvious to one skilled in the art to combine the teachings of Kaplan with the circumferential radial member fins and rotational speed settings, considered to be disclosed by Ogasahara, for the purpose of providing a sealing adsorbent desiccant relationship for an optimum rotational drying speed such that the regeneration and cooling of processed air is more effectively treated.

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new grounds of rejection. Applicants amended claims and supporting arguments necessitated a further search and new consideration such that the rejection and additional prior art cited in this action more clearly describe the claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira S. Lazarus can be reached on 571 272 4877. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG

February 14, 2005

